

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**LISTING OF CLAIMS:**

1. (*currently amended*): A method for determining obtaining a prognosis for a human subject who has having, or is at risk of developing, an inflammatory condition, the method comprising determining in a nucleic acid sample from the subject a genotype of said subject at one of two polymorphic sites in the subject's thrombomodulin gene at position 5318 or at position 4007 of SEQ ID NO:1, wherein

(a) said genotype is indicative of an the subject's ability to recover from the inflammatory condition which is SIRS, sepsis or septic shock, and

(b) the relationship between the nucleotide at said position and the prognosis is as follows:

(i) at least one A nucleotide at position 5318 or at least one C nucleotide at position 4007 are risk genotypes prognostic of a decreased ability to recover; and

(ii) a C nucleotide at position 5318 or a T nucleotide at position 4007 are protective genotypes prognostic of an increased ability to recover.

2. (*currently amended*): The method of claim 1, wherein the prognosis is determined by determining the polymorphic site is genotype at position 5318 of SEQ ID NO:1.

3. to 5.      **Canceled**

6. (*currently amended*): The method of claim 1~~claim 2~~, further comprising determining the sequence of thrombomodulin sequence information for in the subject.

7.      **canceled**

8. (*currently amended*): The method of claim 1~~claim 7~~, further comprising a step of obtaining the obtaining a nucleic acid sample from the subject.

9. (currently amended): The method of claim 1, wherein said determining of the genotype comprises employs one or more of the following techniques:

- (a) restriction fragment length analysis;
- (b) sequencing;
- (c) hybridization;
- (d) oligonucleotide ligation assay;
- (e) ligation rolling circle amplification;
- (f) 5' nuclease assay;
- (g) polymerase proofreading methods; and
- (h) allele specific PCR; and
- (i) reading sequence data.

**10. canceled**

11. (currently amended): The method of claim 1~~claim 10~~, wherein the subject is critically ill and a determination that the subject has the risk genotype is prognostic indicative of a prognosis of severe cardiovascular or respiratory dysfunction in said inflammatory condition.

**12. to 13.. canceled**

14. (currently amended): The method of claim 1~~claim 13~~, wherein the subject is critically ill, and a determination that the subject has the protective genotype is prognostic indicative of a prognosis of increased ability to recovery from mild less severe cardiovascular or respiratory dysfunction present in said inflammatory condition compared to a subject with the risk genotype.

**15. to 16. canceled**

17. (previously presented): The method of claim 1, wherein the inflammatory condition is SIRS.

**18 to 23. canceled**

24. (*withdrawn; currently amended*): A method for selecting a group of subjects for determining the efficacy of a candidate drug as known or suspected of being useful for the treatment of an inflammatory condition, the method comprising determining a prognosis in accordance with claim 1 genotype for one or more polymorphic sites in the thrombomodulin sequence for each subject, wherein said genotype is indicative of the subject's ability to recover from the inflammatory condition and sorting subjects based on their genotype into groups.

25. (*withdrawn; currently amended*): The method of claim 24 further comprising, administering the candidate drug to the subjects or a subset of subjects sorted in accordance with claim 24 and determining each subject's ability to recover from the inflammatory condition when compared to subjects not given the candidate drug.

26. to 36      **CANCELED**